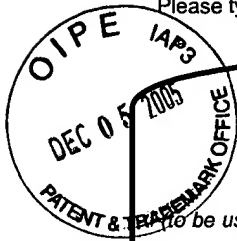


Please type a plus sign (+) inside this box → +



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/764,072
Filing Date	January 19, 2001
Inventor(s)	Hisham S. Abdel-Ghaffar
Group Art Unit	2115
Examiner Name	Mark A. CONNOLLY
Attorney Docket Number	29250-000502/US

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Letter to the Official Draftsperson and _____ Sheets of Formal Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> LETTER SUBMITTING APPEAL BRIEF AND APPEAL BRIEF (w/clean version of pending claims) <input checked="" type="checkbox"/> Appeal Communication to Group (Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Gary D. Yacura	Reg. No.	35,416
Signature					
Date	December 5, 2005				

GDY/DAP:let



PATENT
29250-000502/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants: Hisham S. Abdel-Ghaffar **Appeal No.** _____
Serial No.: 09/764,072 Group: 2115
Filed: January 19, 2001 Examiner: Mark A. CONNOLLY
For: A METHOD OF DETERMINING A TIME OFFSET ESTIMATE
BETWEEN A CENTRAL NODE AND A SECONDARY NODE

REPLY BRIEF UNDER 37 C.F.R. § 41.41

December 5, 2005

MAIL STOP REPLY BRIEF - PATENTS

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Dear Sir:

Appellants respectfully request that the Appeal Board consider the enclosed remarks pursuant to 37 C.F.R. § 41.41, which are filed in response to the Examiner's Answer mailed on October 4, 2005.

Remarks begin on page 2 of this Reply Brief.

REMARKS**Examiner's Admission contradicts his own Argument**

In Section A of the Examiner's Answer, the Examiner stipulates that "Premerlani does not compensate for time wraparound until after an initial round trip delay is calculated" (Emphasis Added).¹ However, in a later argument, the Examiner states "the round trip delay (RTD), interpreted as a time offset, is calculated using the converted downlink and uplink timing information set forth in section A" (Emphasis Added).² Appellants respectfully submit that the Examiner's argument contradicts itself.

If, as the Examiner admits, Premierlani does not compensate for time wraparound until after the RTD is calculated, then the calculation of the RTD is clearly not "based on the converted downlink and uplink timing information" as recited in independent claim 1 (Emphasis Added). Rather, the RTD is based on unconverted, periodic information.

Two periodic values do not represent a continuous value

The Examiner's argument set forth in the Examiner's answer mailed on October 4, 2005, attempts to argue that uplink and downlink information is converted into a continuous time scale because a difference of two periodic time stamp values is used to calculate the RTD.³ Initially, Appellants

¹ See page 9 of the Examiner's answer mailed on October 4, 2005.

² See page 11 of the Examiner's answer mailed on October 4, 2005.

³ See page 9 of the Examiner's answer mailed on October 4, 2005.

respectfully submit that a subtraction involving two periodic numbers is not a conversion to a continuous time scale. Continuous numbers do not experience time wraparound. Accordingly, Premierlani's performance of a time wraparound compensation after the RTD calculation supports the Appellants' argument that no conversion to a continuous time scale occurs before the RTD calculation.

Again, it is not clear how the Examiner can argue that Premierlani determines "a time offset estimate between the central node and the secondary node based on the converted downlink and uplink timing information" as recited in independent claim 1 when the Examiner admits that "Premierlani does not compensate for time wraparound until after an initial round trip delay is calculated" (Emphasis Added).⁴

Appellants respectfully request that the Appeal Board consider the above remarks in conjunction with the remarks previously made in the Appeal Brief filed on July 14, 2005.

⁴ *Id.*

Conclusion

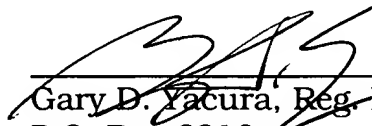
Appellants respectfully request the Board to reverse the Examiner's anticipation and/or obviousness rejection of claims 1-10.

The Commissioner is authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By:



Gary D. Yacura, Reg. No. 35,416
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

GDY/DAP:let